

Ryan Bahr/R5/USEPA/US

02/25/2013 10:46 AM

To "Bridgewater, Bud"

cc

bcc

Subject Fw: September 2012 Work Plan report

----- Forwarded by Ryan Bahr/R5/USEPA/US on 02/25/2013 10:45 AM -----

From: James Coleman/R5/USEPA/US
To: Ryan Bahr/R5/USEPA/US@EPA,
Date: 09/13/2012 01:11 PM
Subject: Fw: RE: September 2012 Work Plan report

FYI

James Coleman, Information
Management Specialist (WECAB)
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-----Forwarded by James Coleman/R5/USEPA/US on 09/13/2012 01:11PM -----

To: James Coleman/R5/USEPA/US@EPA, Jane Lupton/R5/USEPA/US@EPA, Cheryl
Burdett/R5/USEPA/US@EPA, Dean Maraldo/R5/USEPA/US@EPA, James
Coleman/R5/USEPA/US@EPA, Nathan Frank/R5/USEPA/US@EPA
From: "Yurdin, Bruce" <Bruce.Yurdin@Illinois.gov>
Date: 09/13/2012 12:23PM
Cc: "Sofat, Sanjay" <Sanjay.Sofat@Illinois.gov>
Subject: RE: September 2012 Work Plan report

The following are provided in accordance with the February 2011 Work Plan.

April–May 2012 inspections: As of July 9, 2012, 50 inspections have been completed out of the 25 committed to. Of those 50, 40 reports have been sent to Region 5. The remainder will be finished over the next few weeks. We are in the process of developing Violation Notices and Non-Compliance Advisory letters for several of the CAFOs inspected.

Disposition of spills /releases: Exemption 5 and Exemptions 7(A) and 7(E)

CG decisions:

Facility Name	Facility ID Number	VN Number	VN Description

VB FAMILY FARMS	NA	W-2012-50181	CAFO, LIVESTOCKWASTE HANDLING VIOLA UNPERMITTED DISCHARGE, OFFENSIVE CO
HENRY PROBST CATTLE FACILITY	NA	W-2012-50183	CAFO, FISH KILL, LIVESTOCK WASTE HAND

EDG decision :

Exemption 5 and Exemptions 7(A) and 7(E)

Referrals to the AGO :

Exemption 5 and Exemptions 7(A) and 7(E)

bjy

From: Yurdin, Bruce

Sent: Monday, July 09, 2012 4:20 PM

To: 'James Coleman'; 'Jane Lupton'; 'Cheryl Burdett'; 'Dean Maraldo'; 'Coleman.James@EPA.GOV'; 'Nathan Frank'

Cc: Sofat, Sanjay

Subject: RE: July 2012 Work Plan report

Apologies—this should have been sent to you as the July 2012 report, not May.

bjy

From: Yurdin, Bruce

Sent: Monday, July 09, 2012 4:19 PM

To: 'James Coleman'; 'Jane Lupton'; 'Cheryl Burdett'; 'Dean Maraldo'; 'Coleman.James@EPA.GOV'; 'Nathan Frank'

Cc: Sofat, Sanjay

Subject: RE: May 2012 Work Plan report

The following are provided in accordance with the February 2011 Work Plan.

April–May 2012 inspections : As of July 9, 2012, 50 inspections have been completed out of the 25 committed to. Of those 50, 27 reports have been sent to Region 5. The remainder will be finished over the next few weeks. We are in the process of developing Violation Notices and Non-Compliance Advisory letters for several of the CAFOs inspected.

Disposition of spills /releases : Exemption 5 and Exemptions 7(A) and 7(E)

Exemption 5 and Exemptions 7(A) and 7(E)

CG decisions :

Richard Humphrey, W-2012-50136, VN issued 7/2/2012

Rita Crundwell, W-2012-50149, VN issued 7/2/2012

Cranbrook South Farm, W-2012-50092, VN issued 7/2/2012

Terri Sween, W-2012-5-146, VN issued 6/7/2012

KJMM Pork and Grain, W-2012-50131, VN issued 6/7/2012

Neisler Place, Inc., M-2012-01010, VN issued 5/31/2012

EDG decision :

Exemption 5 and Exemptions 7(A) and 7(E)

Referrals to the AGO: Exemption 5 and Exemptions 7(A) and 7(E)

bjy

From: Yurdin, Bruce

Sent: Monday, May 14, 2012 2:20 PM

To: 'James Coleman'; 'Jane Lupton'; 'Cheryl Burdett'; 'Dean Maraldo'; 'Coleman.James@EPA.GOV'; 'Nathan Frank'

Cc: Sofat, Sanjay

Subject: RE: May 2012 Work Plan report

The following are provided in accordance with the February 2011 Work Plan.

April–May 2012 inspections: As of May 3, 2012, 15 inspections had been completed out of the 25. Of those 15, preliminary indications are that 4 will result in NCAs and 4 will result in VNs.

Disposition of spills/releases: None reported.

CG decisions:

Dream Catchers Stables - (W-2012-50057)

- VN Issued 4/17/2012

Salger Dairy - (W-2012-50048)

- VN Issued 3/27/2012

EDG decision:

Exemption 5 and Exemptions 7(A) and 7(E)

Referrals to the AGO: Exemption 5 and Exemptions 7(A) and 7(E)

bjy

From: Yurdin, Bruce

Sent: Wednesday, March 14, 2012 12:04 PM

To: 'James Coleman'; 'Jane Lupton'; 'Cheryl Burdett'; 'Dean Maraldo'; 'Coleman.James@EPA.GOV'; 'Nathan Frank'

Cc: Sofat, Sanjay

Subject: RE: March 2012 Work Plan report

The following are provided in accordance with the February 2011 Work Plan.

April–May 2011 inspections: All inspections have been completed. Plans are now underway for the 2012 April-May inspections. A list of the 25 inspection will be sent to Region 5 later this week.

Disposition of spills/releases: None reported.

CG decisions: Salger Dairy (VN pending)

EDG decisions:

Exemption 5 and Exemptions 7(A) and 7(E)

Referrals to the AGO: Exemption 5 and Exemptions 7(A) and 7(E)

bjy

From: Yurdin, Bruce
Sent: Tuesday, January 17, 2012 11:54 AM
To: 'James Coleman'; 'Jane Lupton'; 'Cheryl Burdett'; 'Dean Maraldo'; 'Coleman.James@EPA.GOV'; 'Nathan Frank'
Cc: Sofat, Sanjay
Subject: RE: September Work Plan report

The following are provided in accordance with the February 2011 Work Plan.

April–May 2011 inspections: All inspections have been completed.

Disposition of spills/releases: Matt Bonnet, see below.

CG decisions: There 4 VNs issued in this period. See below.

Anthony Farm Services, LLC	W-2011-50479	Discharge	VN issued 1/13/12
Heritage Farms Dairy	W-2011-50432	Discharge	VN issued 12/1/11
Matt Bonnet	W-2011-50465	Discharge, Fish Kill	VN issued 1/11/12
Stribling Hog Farm	W-2011-50461	Handling violations	VN issued 11/22/11

EDG decisions: **Exemption 5 and Exemptions 7(A) and 7(E)**
Exemption 5 and Exemptions 7(A) and 7(E)

Referrals to the AGO: **Exemption 5 and Exemptions 7(A) and 7(E)**

bjy

From: Yurdin, Bruce
Sent: Tuesday, November 15, 2011 5:18 PM
To: 'James Coleman'; 'Jane Lupton'; 'Cheryl Burdett'; 'Dean Maraldo'; 'Coleman.James@EPA.GOV'; 'Nathan Frank'
Cc: Sofat, Sanjay
Subject: RE: September Work Plan report

The following are provided in accordance with the February 2011 Work Plan.

1. April–May inspections: All inspections have been completed and 37 reports from the 38 inspections have been provided to Region 5.
2. Disposition of spills/releases: No releases were identified in this period.
3. CG decisions: There 3 VNs issued in this period. See below.

ELM FARMS	NA	W-2011-50410	CAFO	20-Oct-1
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METZGER FARMS	NA	W-2011-50433	LIVESTOCK WASTE HANDLING VIOLATIONS	03-Nov-1
GARY CLENDENNY SWINE FARM	NA	W-2011-50419	LIVESTOCK WASTE HANDLING VIOLATIONS	03-Oct-1

4. EDG decisions: See below.

Exemption 5 and Exemptions 7(A) and 7(E)

5. Referrals to the AGO: **Exemption 5 and Exemptions 7(A) and 7(E)**

bjy

From: Yurdin, Bruce

Sent: Thursday, September 15, 2011 9:22 AM

To: 'James Coleman'; 'Jane Lupton'; 'Cheryl Burdett'; 'Dean Maraldo'; 'Coleman.James@EPA.GOV'; 'Nathan Frank'

Cc: Sofat, Sanjay

Subject: September Work Plan report

The following are provided in accordance with the February 2011 Work Plan.

6. April–May inspections: All inspections have been completed and 37 reports from the 38 inspections have been provided to Region 5.
7. Disposition of spills/releases: No releases were identified in this period.
8. CG decisions: There 2 VNs issued in this period.
9. EDG decisions: **Exemption 5 and Exemptions 7(A) and 7(E)**
10. Referrals to the AGO: **Exemption 5 and Exemptions 7(A) and 7(E)** Two previously referred cases were settled (see below)

People v. Busjahn Farms, Inc. | 2011-CF-209 | Stephenson County | Bureau of Water (CAFO)

People v. Arlen Busjahn | 2011-CM-692 | Stephenson County | Bureau of Water (CAFO)

The above-named cases arose out of incident involving a rural Stephenson County dairy farm pumping liquid and semi-liquid wastewater from its waste pit/lagoon into a roadside ditch which served as a drainage conduit. A citizen complaint to local officials was referred to the Rockford Regional Office and an ensuing inspection revealed the facts of the violation. A subsequent Illinois State police investigation and referral to the Environmental Crimes Bureau of the Attorney General's Office resulted in the above-mentioned proceedings.

Pursuant to a negotiated disposition, guilty pleas were entered on both of the above-named cases on Wednesday, August 24, 2011, in the Circuit Court of Stephenson County, Freeport, Illinois. The corporate defendant pled guilty to a knowing discharge of a contaminant from a point source to waters of the State without an NPDES permit in violation of Section 44(j)(1)(A) of the Illinois Environmental Protection Act, a Class 4 felony. The individual defendant plead guilty to a negligent discharge of a contaminant from a point source to waters of the State without an NPDES permit, in violation of Section 44(j)(3)(A) of the Illinois Environmental Protection Act, a Class A misdemeanor.

The corporate defendant was sentenced to 12 months conditional discharge and ordered to pay a fine of \$2,500.00 to Stephenson County, restitution to the Illinois EPA's Hazardous Waste Fund in the amount of \$6,328.00, and Court costs in the amount of \$1,172.00. The individual defendant was sentenced to 12 months court supervision and ordered to pay a fine of \$2,500.00 to Stephenson County, restitution to the Illinois EPA's Hazardous Waste Fund in the amount of \$6,398.00, and Court costs in the amount of \$1,102.00. A sentence of Court Supervision will result in dismissal of the charge without a conviction if the defendant successfully completes the supervision period without violating any conditions of the order.

Since the occurrence, the Defendants have been fully cooperating and working with the Rockford Regional Office to address deficiencies in their waste management practices.

By mutual agreement, all subsequent reports will be filed every two months, with the next report due on November 15th. If you have any questions on these matters, please advise.

bjy